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\$ RCE 1632

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PTO/SB/30 (09-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request For Continued Examination (RCE) Transmittal Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/163272-Conf. #9801
	Filing Date	September 29, 1998
	First Named Inventor	Jonathan DINSMORE
	Art Unit	1632
	Examiner Name	A. Falk
	Attorney Docket No.	DNI-041RCE

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-0080
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Cristin E. Howley for Megan E. Williams	Registration No. (Attorney/Agent)	55,281 for 43,270
Signature			Date May 24, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 981582524 US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 24, 2004

Signature: (Cristin E. Howley, Ph.D.)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Jonathan Dinsmore

Serial No.: 09/163,272

Filed: September 29, 1998

(CPA filed on May 3, 2002)

For: *Porcine Spinal Cord Cells and Their
Use in Spinal Cord Repair*

Attorney Docket No.: DNI-041CPA

Group Art Unit: 1632

Examiner: Anne-Marie Falk,
Ph.D.

MS RCE

Commissioner for Patents

P.O. Box 1450

Arlington, VA 22313-1450

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: May 24, 2004

Mailing Label Number: EL 981582524 US

I hereby certify that this 37 CFR 1.53(d) request and the documents referred to therein as enclosed are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Cristin E. Howley

Name of Person Mailing Paper

Signature of Person Mailing Paper

AMENDMENT AND RESPONSE

Dear Sir:

In response to the Office Action dated April 24, 2003, Applicant submits the following remarks. A request for the appropriate extension of time in which to respond is being filed concurrently herewith, as well as a Request for Continued Examination.

Amendments to the claims are reflected in the listing of claims which begins on page 2 of

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02 FC:2201	43.00 DA
03 FC:2202	261.00 DA
04 FC:2203	145.00 DA

this Amendment and Response. Remarks/Arguments begin on page 10 of this paper.

Please amend the above-referenced application as follows: